

February 11, 1981

LB 65

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced.

CLERK: Mr. President, LB 65, there are no E & R amendments, but Senator Wesely has an amendment pending. The amendment reads as follows: (Read the Wesely amendment as found on page 495 of the Legislative Journal.) The amendment is offered by Senator Wesely.

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker and members of the Legislature, this amendment is important to the City of Lincoln because of the fact that we do have a Railroad Transportation Safety District and there is some controversy concerning potential eminent domain exercising of their authority in that area, and presently there is a 5/6 majority vote required in order to exercise that authority. The bill, as Senator Nichol has it, presently would change that to 2/3. I see no problem in allowing Scottsbluff and two RTSDs to have only 2/3 majority in terms of eminent domain rights, but I do want to keep it at 5/6 for the City of Lincoln for a number of reasons. This would merely maintain the present status quo situation in Lincoln and for any other county that would have a one city-county coordinated RTSD so that they would still have a 5/6 majority required to exercise eminent domain rights. It would allow a two city-county plus cooperative RTSD 2/3 majority to exercise eminent domain rights. Essentially, this is a status quo amendment and certainly important to myself and to the City of Lincoln.

SPEAKER MARVEL: Senator Nichol, your light is on.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, I have certainly no objection to Senator Wesely's amendment. Senator Wesely, was that 3/4 or 2/3 you mentioned the other....Senator Wesely, you said I wanted it 2/3, was that 3/4 rather than 2/3?

SENATOR WESELY: No, 2/3 is what you would have.

SENATOR NICHOL: Okay. All right, I have no objection to the amendment.

CLERK: It is not in the Journal, Senator, if that is your question.

SPEAKER MARVEL: Senator Goodrich.